

couldn't provide one meaningful response or step, even in writing, and that is plainly alarming. It should be disqualifying.

This nomination, though, is dangerous on more than any single issue because it threatens the independence and political integrity of the FCC. The political independence and integrity of the FCC depend on its balance. Normally, nominations are paired politically to reflect the bipartisan balance of the agency. What we will have at the FCC now is potential gridlock.

One month ago, voters overwhelmingly elected a new President, and he has promised to close the homework gap, the digital divide, to reinstate net neutrality, and to renew our commitment to consumer protection. This nomination threatens all of those goals for a new administration. In fact, the Senate has traditionally moved these nominations in bipartisan pairs, which is lacking here. In fact, it is contradicted by this nomination.

I think the purpose of confirming this nominee, very simply, is to deadlock the Commission and undermine the President-elect's ability to achieve the mandate the American people have given him and his administration in going forward. That may be what the giant telecommunications industry wants. It may be what the media companies hope to achieve—an FCC that is absent or neutralized, an FCC that is gridlocked and dysfunctional. I hope it is not the result of this nomination if he is confirmed, but my fear is that it will be, and if it is, this body bears a responsibility.

I urge my colleagues to vote against this nominee for the sake of those 16 million students who are now lacking in having a connection to the internet. That connectivity is essential to their lives and their educational progress. I urge this body to vote against him because he is dangerous to an agency that is supposed to be independent and above politics.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. WICKER. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WICKER. Madam President, I ask unanimous consent that the Schwartz vote begin now, some 2 minutes early.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXECUTIVE CALENDAR

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of the following nomination, which the clerk will report.

The bill clerk read the nomination of Stephen Sidney Schwartz, of Virginia,

to be a Judge of the United States Court of Federal Claims for a term of fifteen years.

VOTE ON SCHWARTZ NOMINATION

The PRESIDING OFFICER. All postcloture time has expired.

The question is, Will the Senate advise and consent to the Schwartz nomination?

Mr. WICKER. Madam President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Georgia (Mrs. LOEFFLER), the Senator from Georgia (Mr. PERDUE), and the Senator from South Dakota (Mr. ROUNDS).

Mr. DURBIN. I announce that the Senator from California (Ms. HARRIS) is necessarily absent.

The PRESIDING OFFICER (Mr. CASIDY). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 49, nays 47, as follows:

[Rollcall Vote No. 256 Ex.]

YEAS—49

Alexander	Ernst	Portman
Barrasso	Fischer	Risch
Blackburn	Gardner	Roberts
Blunt	Graham	Romney
Boozman	Grassley	Rubio
Braun	Hawley	Sasse
Burr	Hoeven	Scott (FL)
Capito	Hyde-Smith	Scott (SC)
Cassidy	Inhofe	Shelby
Collins	Johnson	Sullivan
Cornyn	Kennedy	Thune
Cotton	Lankford	Tillis
Cramer	Lee	Toomey
Crapo	McConnell	Wicker
Cruz	Moran	Young
Daines	Murkowski	
Enzi	Paul	

NAYS—47

Baldwin	Heinrich	Rosen
Bennet	Hirono	Sanders
Blumenthal	Jones	Schatz
Booker	Kaine	Schumer
Brown	Kelly	Shaheen
Cantwell	King	Sinema
Cardin	Klobuchar	Smith
Carper	Leahy	Stabenow
Casey	Manchin	Tester
Coons	Markey	Udall
Cortez Masto	Menendez	Van Hollen
Duckworth	Merkley	Warner
Durbin	Murphy	Warren
Feinstein	Murray	Whitehouse
Gillibrand	Peters	Wyden
Hassan	Reed	

NOT VOTING—4

Harris	Perdue
Loeffler	Rounds

The nomination was confirmed.

EXECUTIVE CALENDAR

VOTE ON SIMINGTON NOMINATION

The PRESIDING OFFICER. All postcloture time is expired.

The question is, Will the Senate advise and consent to the Simington nomination?

Mr. LANKFORD. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Georgia (Mrs. LOEFFLER), the Senator from Georgia (Mr. PERDUE), and the Senator from South Dakota (Mr. ROUNDS).

Mr. DURBIN. I announce that the Senator from California (Ms. HARRIS) and the Senator from Rhode Island (Mr. WHITEHOUSE) are necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 49, nays 46, as follows:

[Rollcall Vote No. 257 Ex.]

YEAS—49

Alexander	Ernst	Portman
Barrasso	Fischer	Risch
Blackburn	Gardner	Roberts
Blunt	Graham	Romney
Boozman	Grassley	Rubio
Braun	Hawley	Sasse
Burr	Hoeven	Scott (FL)
Capito	Hyde-Smith	Scott (SC)
Cassidy	Inhofe	Shelby
Collins	Johnson	Sullivan
Cornyn	Kennedy	Thune
Cotton	Lankford	Tillis
Cramer	Lee	Toomey
Crapo	McConnell	Wicker
Cruz	Moran	Young
Daines	Murkowski	
Enzi	Paul	

NAYS—46

Baldwin	Heinrich	Rosen
Bennet	Hirono	Sanders
Blumenthal	Jones	Schatz
Booker	Kaine	Schumer
Brown	Kelly	Shaheen
Cantwell	King	Sinema
Cardin	Klobuchar	Smith
Carper	Leahy	Stabenow
Casey	Manchin	Tester
Coons	Markey	Udall
Cortez Masto	Menendez	Van Hollen
Duckworth	Merkley	Warner
Durbin	Murphy	Warren
Feinstein	Murray	Wyden
Gillibrand	Peters	
Hassan	Reed	

NOT VOTING—5

Harris	Perdue	Whitehouse
Loeffler	Rounds	

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motions to reconsider are considered made and laid upon the table, and the President will be immediately notified of the Senate's actions.

The Senator from Oklahoma.

LEGISLATIVE SESSION

MORNING BUSINESS

Mr. INHOFE. Mr. President, I ask unanimous consent that the Senate proceed to legislative session for a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. INHOFE. I ask to be recognized.

The PRESIDING OFFICER. Without objection, it is so ordered.